

AN ORDINANCE

00-0 -1881

BY: COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE

AN ORDINANCE AUTHORIZING THE MAYOR TO DIRECT THE DEPARTMENT OF PLANNING, DEVELOPMENT, AND NEIGHBORHOOD CONSERVATION (BUREAU OF NEIGHBORHOOD CONSERVATION) TO CLEAN THE PREMISES AND CLOSE THE VARIOUS STRUCTURES, PURSUANT TO ARTICLE III OF THE ATLANTA HOUSING CODE AND A HEARING CONDUCTED BY THE IN REM REVIEW BOARD ON October 26, 2000.

131 Mortimer Street, SE	05
2940 Old Jonesboro Road, SE	12
94 Vannoy Street, SE	05
1031 Violet Street, SE	02

WHEREAS, on March 16, 1987, the Council of the City of Atlanta adopted an Ordinance entitled, "The Atlanta Housing Code of 1987"; and the same was approved by the Mayor of the City of Atlanta on March 24, 1987; and

WHEREAS, on October 26, 2000, pursuant to the Atlanta Housing Code of 1987, Article III; entitled "In Rem Procedures", hearings were held after due notice to owner(s) of and/or parties in interest before the In Rem Review Board regarding certain structures believed to be unfit for occupancy or habitation and to be in violation of Article III; and

WHEREAS, on October 26, 2000, The In Rem Review Board determined that the structures on the real property more fully identified hereinafter, were unfit for human occupancy or habitation and could not be improved, repaired, or altered at a cost of fifty percent (50%) or less of the value of structures, exclusive of the foundation and lots after the improvements have been made; and

WHEREAS, the In Rem Review Board did state in writing these findings of fact in support of such determination and the In Rem Review Board issued and caused to be served upon the owner(s) of and /or parties in interest, an Order requiring the owner(s) and/or parties in interest demolish such structures, clean the premises and plant grass on the lot pursuant to Section 33 (3) c of the Atlanta Housing Code; and

WHEREAS, a period of 30 days from the date of said Order was allowed for the owner(s) and/or parties in interest to comply with the Order; and

WHEREAS, the owner(s) and/or parties in interest of the properties failed to comply with the Order of the In Rem Review Board within the specified time.

NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA AS FOLLOWS:

SECTION 1: That the Mayor is authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to forthwith clean the premises and close the following real property, upon which structure(s) are located:

<u>Proper Street Address</u>	<u>City Council District</u>
131 Mortimer Street, SE	05
2940 Old Jonesboro Road, SE	12
94 Vannoy Street, SE	05
1031 Violet Street, SE	02

SECTION 2: That the Mayor is hereby authorized to direct the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to perform the following specific duties at the above mentioned properties:

- (1) Vacate the structures, (if occupied).
- (2) Clean the premises and board the structures(s) in conformity with the In Rem Review Board's Orders.
- (3) File a lien against the real property on which the structures(s) are attached for the cost incurred.
- (4) Maintain the property in conformity with the In Rem Review Board's Order until the structure(s) are repaired or demolished.

SECTION 3: That the Mayor is further authorized to allow the Department of Planning, Development, and Neighborhood Conservation (Bureau of Neighborhood Conservation) to engage the professional services of any of the City of Atlanta's pre-qualified contractors to conduct the appropriate duties listed in **SECTION 2** of this ordinance.

SECTION 4: That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

A true copy,

Rhonda Daughin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
APPROVED by the Mayor

JAN 02, 2001
JAN 08, 2001

THE SUPERIOR COURT FOR THE COUNTY OF
DEKALB, STATE OF GEORGIA

CITY OF ATLANTA BUREAU
OF NEIGHBORHOOD CONSERVATION

Plaintiff
VS.

NOTICE FOR RECORD
FOR LIS PENDENS

Samuel Waller
Georgia Savings Bank & Trust Company
Republic Land & Investment Company

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against the above defendant on

in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

all that tract and parcel of land
lying and being in Land Lot 208 of the 15th District of DeKalb County, Georgia and being

Lot 17 of C.B. McDaniel Property Subdivision, according to plat which is recorded in
Plat Book 4, Page 37, DeKalb County Records, and more particularly described as
follows:

BEGINNING at a point on the west side of Mortimer Street 216 feet north of the north-
west corner of the intersection of Mortimer Street and Merline Street, formerly
Second Street (Avenue); said point of beginning also being at the north line of
Lot 18, said subdivision and plat; running thence north along the west side of
Mortimer Street 66 feet to the south line of Lot 16, said subdivision and plat;
thence west along the south line of said lot 16 - 140 feet to the east line of
Lot 6, said subdivision and plat; thence south 66 feet to the north line of the
above mentioned Lot 18; thence east along the north line of said Lot 18 - 140 feet
to the west side of Mortimer Street and the point of beginning, being improved
property known as NUMBER 131 MORTIMER STREET, S.E., according to the present
system of numbering houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings,
dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This
notice is filed in the Office of the Clerk of Superior Court of Dekalb County, Georgia, to be recorded as
provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real
property.

Dated:

BY:

Dale L. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Cartwright
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Mrs. C. C. Hunter
Internal Revenue Service

on 10-6-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

all that tract and parcel of land lying and
being in the City of Atlanta, in Land Lot 93 of the 14th District
of Fulton County, Georgia, being Lot 3 in Block 5 of Hammond
Park, as per plat by J.R. Cothran, C.E., dated April, 1910,
and recorded in Plat Book 5, page 120, Fulton County Records,
and more particularly described as follows:

BEGINNING at a point on the northeastern side of Jones-
boro Road (formerly First Street) at the northwest corner of
Lot 2 in said Block 5; running thence in a northeasterly di-
rection along the northwestern line of said Lot 2, 227.8 feet
to a point on the western side of a 10-foot alley, which point
is 151.8 feet northwestwardly from the northwest corner of
said alley and Grand Avenue; thence in a northwesterly direc-
tion along the western side of said alley, 50 feet to the
southeast corner of Lot 4 in said Block; thence in a south-
westerly direction along the southeastern line of said Lot 4,
223.7 feet to the northeastern side of Jonesboro Road; thence
in a southeasterly direction along the northeastern side of
Jonesboro Road 50 feet to the point of beginning, and being
improved property known as No. 2940 Jonesboro Road, S.E., ac-
cording to the present numbering of houses in the City of Atlanta

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: October 6, 2000

BY:

Dale L. Haygood
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Castings
Assistant Real Estate City Attorney

THE SUPERIOR COURT FOR THE COUNTY OF
DEKALB, STATE OF GEORGIA

CITY OF ATLANTA BUREAU
OF NEIGHBORHOOD CONSERVATION
Plaintiff
VS.

NOTICE FOR RECORD
FOR LIS PENDENS

Na'M Shakoor and Columbus Trimble

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against the above defendant on

in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia, seeking relief against the following described real estate, to-wit:

ALL that tract or parcel of land lying and being in Land Lot 208 of the 15th District of Dekalb County, Georgia, and being more particularly described as follows:

BEGINNING at a point on Vannoy Street three hundred nineteen (319) feet south of the corner of Vannoy Street and Wylie Street, and running thence east one hundred thirty eight (138) feet; thence south twenty five (25) feet; thence west one hundred thirty eight (138) feet to Vannoy Street; thence north twenty five (25) feet to the point of beginning Said Property being Lot 25, as per plat of the property sold at Auction on May 20, 1892 by R. H. Wilson, as Auctioneer and Attorney in Fact for persons named in the deed recorded in Book 'GG', page 666, Dekalb County records: Being improved property known as No. 94 Vannoy St., SE According to the present numbering of houses in the City of Atlanta.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Dekalb County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated:

BY:

Dale S. Haggard
Bureau of Neighborhood Conservation, Official Agent

BY:

Bill Carter
Assistant Real Estate City Attorney

TO WHOM IT MAY CONCERN:

Notice is hereby given that a complaint was filed by the City of Atlanta against:

Cassaundra Smith
Premier Lending Corporation.

on 10-6-00 in the Bureau of Neighborhood Conservation of the City of Atlanta, Georgia,
seeking relief against the following described real estate, to-wit:

ALL THAT TRACT or parcel of land lying and being in the City of Atlanta in Land Lot 55 of the 14th District of Fulton County, Georgia, being part of Lot 15, Bowden & Roberts Subdivision, recorded in Deed Book X-3, Page 445 1/2, Fulton County records, and being more particularly described as follows:

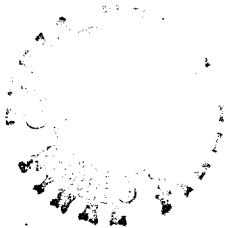
BEGINNING at a point on the west side of Violet Avenue 50 feet south from the southwest corner of Violet Avenue and Haygood Avenue; running thence south along the west side of Violet Avenue 50 feet to a 10-foot alley; thence running west along the north side of said alley 50 feet to Lot 18; thence running north along the east line of Lot 18 50 feet; thence east 50 feet to Violet Avenue and the POINT OF BEGINNING, being improved property known as #1031 Violet Avenue SE according to the present system of numbering houses in Fulton County, City of Atlanta, Georgia.

The relief sought as to said property being to vacate, clean and close, remove or demolish such buildings, dwellings, or structures (and clean the premises thereof) found to be unfit for human habitation. This notice is filed in the Office of the Clerk of Superior Court of Fulton County, Georgia, to be recorded as provided by Georgia laws 1966, page 3089, so that said complaint shall act as a lis pendens as to such real property.

Dated: October 6, 2000

BY: Dale L. Angard
Bureau of Neighborhood Conservation, Official Agent

BY: Bell Cantor
Assistant Real Estate City Attorney



RCS# 2517
1/02/01
3:28 PM

Atlanta City Council

Regular Session

MULTIPLE

Items 1-5 *As Amended* (00-O-1878); 00-O-1879;
00-O-1880; 00-O-1881; 00-O-1885
ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 0
ABSENT 0

Y McCarty	NV Dorsey	Y Moore	Y Thomas
Y Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	NV Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

MULTIPLE ,

00-0-1881

(Do Not Write Above This Line)

ORDINANCE BY: COMMUNITY DEVELOPMENT/
HUMAN RESOURCES COMMITTEE
AN ORDINANCE AUTHORIZING THE MAYOR TO
DIRECT THE DEPARTMENT OF PLANNING,
DEVELOPMENT AND NEIGHBORHOOD CONSERVATION
(BUREAU OF NEIGHBORHOOD CONSERVATION) TO
CLEAN THE PREMISES AND CLOSE THE VARIOUS
STRUCTURES, PURSUANT TO ARTICLE III OF THE
ATLANTA HOUSING CODE AND A HEARING
CONDUCTED BY THE IN REM REVIEW BOARD ON
October 26, 2000.

131 Mortimer Street, SE 05
2940 Old Jonesboro Road, SE 12
94 Vannoy Street, SE 05
1031 Violet Street, SE 02

ADOPTED BY
JAN 02 2001

COUNCIL

- ☒ CONSENT REFER
☐ REGULAR REPORT REFER
☐ ADVERTISE & REFER
☐ 1st ADOPT 2nd READ & REFER
☐ PERSONAL PAPER REFER

Date Referred 12/14/00

Referred To: Community Development / Human Resources
 Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee

Date

Chair

Referred to

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

Committee

Date

Chair

Action:

Fav, Adv, Hold (see rev. side)

Other:

Members

Refer To

FINAL COUNCIL ACTION

☒ 2nd ☐ 1st & 2nd ☐ 3rd

Readings

☐ Consent ☐ V Vote ☒ RC Vote

CERTIFIED

CERTIFIED
JAN 2 2001

ATLANTA CITY COUNCIL PRESIDENT

CERTIFIED
JAN 0 2 2001

MAYOR'S ACTION

JAN 0 2 2001
 Mayor's Signature